

# **City of Las Vegas Redevelopment Agency**

## **Tax Increment Financing Application Procedure (TIF Program)**

### **A. General Tax Increment Financing Program Policy**

The City of Las Vegas Redevelopment Agency (Agency) uses tax increment financing to accomplish the Agency's redevelopment and economic development goals and objectives of the Agency's Redevelopment Plan for the Downtown Centennial Plan area (Downtown Overlay, Title 19.06.060) and the Redevelopment Area. The fundamental principle that makes tax increment financing viable is that it is designed to encourage development in blighted areas that would not otherwise occur.

To encourage development and ensure that a redevelopment project qualifies for tax increment financing, the Agency must evaluate a project receiving financial participation to determine that:

- a) The buildings, facilities, structures or other improvements are of benefit to the redevelopment area or the immediate neighborhood in which the redevelopment area is located (NRS 279.486(1)(a)); and
- b) No other reasonable means of financing those buildings, facilities, structures or other improvements are available. (NRS 279.486(1)(b))

The Agency shall consider whether a redevelopment project qualifies for financial participation and the appropriate means of such participation through the Redevelopment Plan Checklist, as adopted in the Redevelopment Plan.

### **B. Description of Tax Increment Financing**

Tax increment is the difference in assessed valuation and tax revenues generated by the property in the Redevelopment Area after a project has been completed compared with the assessed valuation and tax revenues generated by a property before the project at the time the Redevelopment Plan was adopted. This difference in assessed valuation and tax revenues is then used to pay for eligible public improvements.

Under the provisions of NRS 279.676, the Agency's tax increment funds are allocated into two funds: 1) Redevelopment Agency and 2) Housing Set-Aside for affordable housing. From the allocation of tax increment funds, eighty-two percent (82%) is allocated to the Agency and eighteen percent (18%) to the Housing Set-Aside. Of the eighty-two percent (82%) allocated to the Agency for the specific parcel(s), no more than fifty percent (50%) of the tax increment generated by the specific parcel(s) would be available to a developer as a TIF rebate. The TIF rebate will be rebated on an annual basis after the recordation of a Certificate of Completion by the Agency and submission of qualified expenditures. Tax increment rebate cannot extend past the life of the Agency or more than twenty (20) years. The Agency terminates in the year 2031.

### **C. Projects Eligible for Tax Increment Financing**

Eligible projects must be located within the Redevelopment Plan Area, as shown by the attached map, (*Attachment No. 1 – Redevelopment Plan Area*). Projects eligible for consideration of tax increment financing assistance include, but are not limited to office, high-rise residential, retail, hotels, and mixed-use.

#### D. Eligible Public Improvements

In addition to satisfying the “no other reasonable means” requirement in Section A above, the Developer applying for tax increment financing for a project must satisfy the following requirements:

- a) Demonstrate that all improvements would qualify as public infrastructure in one of two categories:

Category A – streets, curbs, gutters, water lines, sanitary sewer lines, storm drainage facilities, ramps, roads, bridges, traffic signals, paving, driveways, sidewalks, mass transit and other public transportation facilities, culverts, manholes, retaining walls, tunnels, approaches, underpasses, artificial lighting, off-street parking improvements and structures, fencing, landscaping, site work, grading, walkways, signage, flood control improvements, and improvements for the supply, storage and distribution of water.

Category B – electricity and telecommunications services, utility, and other similar site development infrastructure costs, qualified public improvements that may include on-sites, off-sites, utility relocation and under-grounding, according to the city's plans.

The amount of tax rebate funds shall not exceed the total of the qualified public improvements in Category A and B, as noted above.

#### E. Comply with Employment Plan Requirement

Approved applicants must comply with the Agency’s requirement of the Employment Plan, (*Attachment No. 2 – Employment Plan Policy*) pursuant to NRS 279.482. The applicant agrees to promote the utilization of women, minority, disabled, and veteran-owned businesses that are located within the area of operation for the construction phase of the project.

#### F. Comply with Prevailing Wage Requirement

At the time of final approval by the Agency Board, the Agency will notify the Nevada Labor Commissioner’s Office of the TIF approval, and the applicant will be required to obtain a Public Works Project Number and a listing of the most current prevailing wage rates for all classified positions, as published by the Nevada Labor Commissioner’s Office. Access to the current prevailing wage rates may be obtained at the following website – [www.laborcommissioner.com](http://www.laborcommissioner.com).

#### G. Application Procedure for Tax Increment Financing

- 1) Applicant obtains the *Tax Increment Financing Application Summary and Submittal Requirements*, either from an Agency staff member, or from the following website: [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov).
- 2) Developer completes the application and provides the necessary submittal requirements for the preliminary approval as stated in the application.
- 3) Once the Agency has a complete application, Agency staff will review the application and all submittals for accuracy and completeness. If there are any items that are deemed by Agency staff to be incomplete and non-responsive to the application, Agency will return the entire application back to applicant for resubmission.
- 4) After an application has been reviewed by Agency staff and is deemed complete, Agency staff will schedule the application for consideration by the Redevelopment Agency Board.

- 5) Agency staff will submit the application to the Agency Board for review and consideration before the public hearing.
- 6) If the Agency Board has any questions or requests for information regarding the application, Agency staff will work with applicant to obtain the necessary information for the Agency Board.
- 7) Agency Board will hold a public hearing and considers the applicant's project for tax increment financing.
- 8) If approved by Agency Board, Agency staff will send Applicant a preliminary approval letter outlining the Agency's requirements to enter into an Owner Participation Agreement (OPA) between the Agency and Developer. Developer will have twelve (12) months to meet conditions of preliminary approval by Agency Board.
- 9) The OPA will be drafted between Agency and Developer and will be sent to City Attorney's Office and the City's Bond Counsel for review.
- 10) Once draft OPA has been approved by City Attorney and City's Bond Counsel and Developer, Agency will place the item on the Agency Board calendar for consideration.
- 11) Upon approval by the Agency Board, and executed by the Developer and Agency, the redevelopment project will be eligible for tax increment financing.
- 12) To ensure project completion, Developer will provide Agency with a Performance Deposit of \$25,000 upon execution of the OPA. Performance Deposit will be returned upon issuance of the TIF Promissory Note by the Agency. Performance Deposit is non-refundable if Developer does not complete project as specified in OPA.

H. What information must the developer provide in the TIF application? A complete Tax Increment Financing Application Summary and the required Submittals from the Checklist. (*See Attachment No. 3*).

I. Payment of TIF through Promissory Note – Tax increment rebate will be done on an annual basis following completion of the project, submittal of a Certificate of Occupancy, and proof that property taxes were paid to the Clark County Treasurer's office.

J. Tax Increment Financing Project Administration Fee

If the Agency Board approves a project, the Developer will be required to pay the Agency one-half (.05%) of one percent of the total tax increment allocated for the project as an Agency administration fee. The total administration fee will be deducted out of the first TIF rebate check.

K. Owner Participation Agreement (OPA) Template

Once the Agency Board has approved the project for tax increment financing, an Owner Participation Agreement (OPA) must be executed between the Agency and the Developer, in a form similar to before any tax increment funds are rebated to the developer.

## CITY OF LAS VEGAS REDEVELOPMENT AGENCY

**Tax Increment Financing Application Summary****Applicant Information**

Project Name/Applicant Name: \_\_\_\_\_

Name of Corporation and Development Entity: \_\_\_\_\_

Applicant Business Address: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Federal Tax ID Number: \_\_\_\_\_

Type of Business Entity: ☐ Corporation ☐ Partnership ☐ Limited Partnership ☐ Individual☐ Limited Liability Company, \_\_\_\_\_ State of Incorporation☐ Other: \_\_\_\_\_**Project Information (Estimated Values at the Time of Submission)**

Project address/location: \_\_\_\_\_

Has site plan been submitted: Y/N Date Submitted: \_\_\_\_\_ Case Number: \_\_\_\_\_

Assessor Parcel Number(s): \_\_\_\_\_

Land Area: \_\_\_\_\_ sq. ft. and \_\_\_\_\_ acres Building Size: \_\_\_\_\_ sq. ft. No. of Floors: \_\_\_\_\_

No. of Parking Spaces: \_\_\_\_\_

Type of Project: ☐ For Sale Condo ☐ Residential Rental ☐ Incremental Ownership ☐ Other:☐ Residential – Total Sq. Ft. \_\_\_\_\_ ☐ Mixed Use – Total Sq. Ft. \_\_\_\_\_**Residential Unit Breakdown:**

	<u>No. of Units</u>	<u>Sq. Ft. of Units</u>	<u>Base Sale Price</u>	<u>Price per Sq. Ft.</u>
Studio	_____	_____	\$ _____	\$ _____
One-Bedroom	_____	_____	\$ _____	\$ _____
Two-Bedroom	_____	_____	\$ _____	\$ _____
Three-Bedroom	_____	_____	\$ _____	\$ _____
Other	_____	_____	\$ _____	\$ _____
Total No. of Units	_____			

<u>Use of Funds:</u>	<u>Amount</u>	<u>Percent</u>	<u>Sources of Funds:</u>	<u>Amount</u>	<u>Percent</u>
a. Land Acquisition	\$ _____	_____%	a. Owners Equity	\$ _____	_____%
b. Site Development	\$ _____	_____%	b. Construction Loan	\$ _____	_____%
1) Public Improvements	\$ _____	_____%	c. Mezzanine	\$ _____	_____%
c. Building Costs (Hard)	\$ _____	_____%	d. Seller Carry back	\$ _____	_____%
d. Soft Costs	\$ _____	_____%	e. Tax Increment	\$ _____	_____%
			f. Other	\$ _____	_____%
			<b>TOTAL</b>	<b>\$ _____</b>	<b>_____%</b>

Total Estimated Project Cost: \$ \_\_\_\_\_

Estimated Construction Start Date: \_\_\_\_\_

Estimated Total Amount of Tax Increment Financing Requested (in current dollars): \$ \_\_\_\_\_

No. of years TIF rebate requested: \_\_\_\_\_ (No rebates after calendar year 2031)

Estimated Annual TIF rebate generated: \$ \_\_\_\_\_

Do you have a market feasibility study? \_\_\_\_\_ Yes \_\_\_\_\_ No **If Yes, please attach.**

Please list what public improvement(s) are eligible for tax increment financing and estimated cost:

<u>Category A</u>	<u>Estimated Cost</u>	<u>Category A</u>	<u>Estimated Cost</u>
1) Streets, Curbs, Gutters:	\$ _____	10) Paving/Driveways:	\$ _____
2) Water Lines:	\$ _____	11) Flood Control:	\$ _____
3) Sanitary Sewer Lines:	\$ _____	12) Mass/Public Transit Facilities:	\$ _____
4) Storm Drainage Facilities:	\$ _____	13) Culverts, Manholes:	\$ _____
5) Ramps/Roads/Bridges:	\$ _____	14) Off-Street Parking Structures:	\$ _____
6) Retaining Walls/Tunnels	\$ _____	15) Landscaping/Fencing:	\$ _____
7) Artificial Lighting	\$ _____	16) Site Work/Grading:	\$ _____
8) Traffic Signals:	\$ _____	17) Walkways:	\$ _____
9) Sidewalks:	\$ _____	18) Signage:	\$ _____
		<b>TOTAL CATEGORY A</b>	<b>\$ _____</b>
 <u>Category B</u>	 <u>Estimated Cost</u>	 <u>Category B</u>	 <u>Estimated Cost</u>
1) Electrical Services:	\$ _____	4) Telecom Services:	\$ _____
2) Utility Infrastructure:	\$ _____	5) Utility Relocation:*	\$ _____
3) Utility Under-grounding:*	\$ _____	6) Other Items:	\$ _____
		<b>TOTAL CATEGORY B</b>	<b>\$ _____</b>
		<b>GRAND TOTAL of A &amp; B</b>	<b>\$ _____</b>

(Please provide detail of “Other Items” and provide explanation why it qualifies as a public improvement.)

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*\*Note – Pertains to qualified public improvements that may include on-sites and off-sites, according to the city’s plans.*

Business name, Contact, Address, Work & Fax phone numbers for the following members of the development team:

Contractor: \_\_\_\_\_

Architect/Engineers: \_\_\_\_\_

Attorney: \_\_\_\_\_

Accountant: \_\_\_\_\_

Project Manager: \_\_\_\_\_

Construction Manager: \_\_\_\_\_

Development Consultant: \_\_\_\_\_

Property Owner(s), if different than developer: \_\_\_\_\_

## TIF Application Submittal Requirements for Agency Consideration

***(Note to Applicant – Before final RDA Board approval, all Exhibits from the checklist must be complete before RDA staff will submit your request for tax increment financing to the RDA Board.)***

**Submittals Required for Preliminary Qualification (from checklist below)**

- ☐ Exhibit A – Tax Increment Application Affidavit
- ☐ Exhibit B – History of the Development Entity
- ☐ Exhibit C – Site Plan and Rendering
- ☐ Exhibit D – List and Breakdown of Sources and Uses of Funds to undertake project
- ☐ Exhibit E – Explanation how project complies with RDA Plan

***(Note: Please see attached Exhibit A, which incorporates all requested items into one Developer affidavit)***

**Checklist**

- ☐ **Exhibit A** – Tax Increment Application Affidavit (***submitted for preliminary qualification***):
  - ☐ Developer will pay Prevailing Wage for the Project as determined by the Nevada State Labor Commissioner;
  - ☐ Developer will submit Employment Plan and comply with RDA Employment Plan Policy;
  - ☐ Developer will pay RDA Application Fee equal to one-half of one percent (1/2 % of 1 %) of the total tax increment used for project;
  - ☐ Developer will list and cost out all eligible qualified Public Improvements for Tax Increment Financing;
  - ☐ Developer will acknowledge the maximum tax rebate available for the project;
  - ☐ Developer and/or lead financing entity sign affidavit that the project would not be financially feasible, if it were not for the RDA's Tax Increment Financing.
- ☐ **Exhibit B** – Declaration of Development Team and Disclosure of Principals and Entity, including:
  - ☐ History of the Development Entity (***submitted for preliminary qualification***)
  - ☐ Resumes of all principals and key individuals
  - ☐ Organizational structure of the development entity
  - ☐ Evidence of site control (i.e. deed, option to purchase, or purchase contract)
- ☐ **Exhibit C** – Description and Narrative of the Development Project, including:
  - ☐ Copies of Project Contracts and/or Memoranda of Understanding
  - ☐ Detailed Performance/Construction Schedule
  - ☐ Site Plan and Rendering (***submitted for preliminary qualification***)
- ☐ **Exhibit D** – Project Funding and Financial Information, including:
  - ☐ List and breakdown of Sources and Uses of Funds to undertake project (***submitted for preliminary qualification***)
  - ☐ Pro-forma statements for five (5) years or length of ownership of Development entity
  - ☐ Current financial statements (2 yrs); P & L (2 yrs); and Balance Sheet (2 yrs)
  - ☐ Current banking relationships
  - ☐ Performance bond references
  - ☐ Demonstration that performance bonds are required, finding of necessity
- ☐ **Exhibit E** – Explanation how project complies with RDA Plan

**EXHIBIT A**

**TAX INCREMENT APPLICATION AFFIDAVIT**

I, \_\_\_\_\_, being first duly sworn, depose and state under penalty of perjury as follows:

1. I am a corporate officer, managing member, or sole proprietor of \_\_\_\_\_ (“Applicant”), a company duly organized in the State of Nevada as a \_\_\_\_\_ (Corporation/LLC/Sole Proprietorship). The Applicant submits this application requesting tax increment financing for the project located at \_\_\_\_\_ (“Site”). The Applicant represents in this application and all information furnished in support of this application for the purpose of obtaining financial assistance under the City of Las Vegas Redevelopment Agency Tax Increment Financing Program (“TIF Program”) and is true and complete to the best of the Applicant’s knowledge and belief.

2. I hereby warrant that tax increment financing assistance from the Agency will allow the Applicant to undertake and complete the project which it could not otherwise do. Completion of this project will result in substantial benefit to the Redevelopment Plan Area and the neighborhood adjacent to the Project because of one or more of the following reasons (Please check all applicable reasons):

- \_\_\_\_\_ a. Encourage the creation of new business or other appropriate development;
- \_\_\_\_\_ b. Create jobs or other business opportunities for nearby residents;
- \_\_\_\_\_ c. Increase local revenues from desirable sources;
- \_\_\_\_\_ d. Increase levels of desirable human activity in the redevelopment area or the immediate neighborhood in which the redevelopment area is located;
- \_\_\_\_\_ e. Possess attributes that are unique, either as to type of use or level of quality and design;
- \_\_\_\_\_ f. Require for their construction, installation or operation the use of qualified and trained labor; and
- \_\_\_\_\_ g. Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the Agency.

3. The Applicant hereby acknowledges and declares that it will comply with the following submittal requirements for tax increment financing assistance from the Agency:

- a. Applicant will pay Prevailing Wage for the Project as determined by the Nevada State Labor Commissioner;
- b. Applicant will submit Employment Plan and comply with Agency Employment Plan Policy;
- c. Applicant will list and cost out all qualified Public Improvements for tax increment financing;
- d. Applicant will acknowledge the maximum tax rebate available for the project;

- e. Applicant will pay a tax increment financing origination fee of \$15,000 to the Agency at time of application submittal for Agency consideration;
- f. Applicant will be required to pay the Agency one-half of one percent of the maximum tax increment available for the project as an Agency administration fee, which will be deducted out of the first tax increment rebate check fee to the Applicant at completion of the Project; and

4. The applicant acknowledges and declares that no other reasonable means of financing the buildings, facilities, structures or other improvements are available, because of one or more of the following reason(s) as checked by the Applicant:

- \_\_\_\_\_ a. The Project, if financed by the Applicant through cash on hand or through debt financing from a private lender, would not result in a reasonable rate of return to the Applicant; or
- \_\_\_\_\_ b. The Applicant would not undertake the full set of improvements contemplated in Exhibit C- Description and Narrative of the Development Project through resources reasonably available to the Applicant.

5. The undersigned Applicant hereby agrees that the Applicant shall at all times indemnify and hold harmless the City of Las Vegas Redevelopment Agency, its employees, officers, directors, and consultants against all losses, costs, damages, expenses, and liabilities of any nature directly or indirectly resulting from, arising out of or relating to the acceptance, consideration, approval, or disapproval of this application for tax increment financing assistance.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

SIGNED AND SWORN TO before

me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

NOTARY PUBLIC  
My commission Expires:



## **EXHIBIT B**

### **Declaration of Development Team and Disclosure of Principals and Entity**

Attachment 1 – History of the Development Entity (*submitted for preliminary qualification*)

Attachment 2 – Resumes of all Principals and Key Individuals

Attachment 3 – Organizational Structure of the Development Entity

Attachment 4 – Evidence of Site Control (i.e. deed, option to purchase, or purchase contract)

## **EXHIBIT C**

### **Description and Narrative of the Development Project**

Attachment 1 – Copies of Project Contracts and/or Memoranda of Understanding

Attachment 2 – Detailed Performance/Construction Schedule

Attachment 3 – Site Plan and Rendering (*submitted for preliminary qualification*)

## **EXHIBIT D**

### **Project Funding and Financial Information**

Attachment 1 – List and Breakdown of Sources and Use of Funds (*submitted for preliminary qualification*)

Attachment 2 – Pro-forma Statements for 5-years or length of ownership of Development entity

Attachment 3 – Current Financial Statements (2 yrs); P & L (2 yrs); and Balance Sheet (2 yrs)

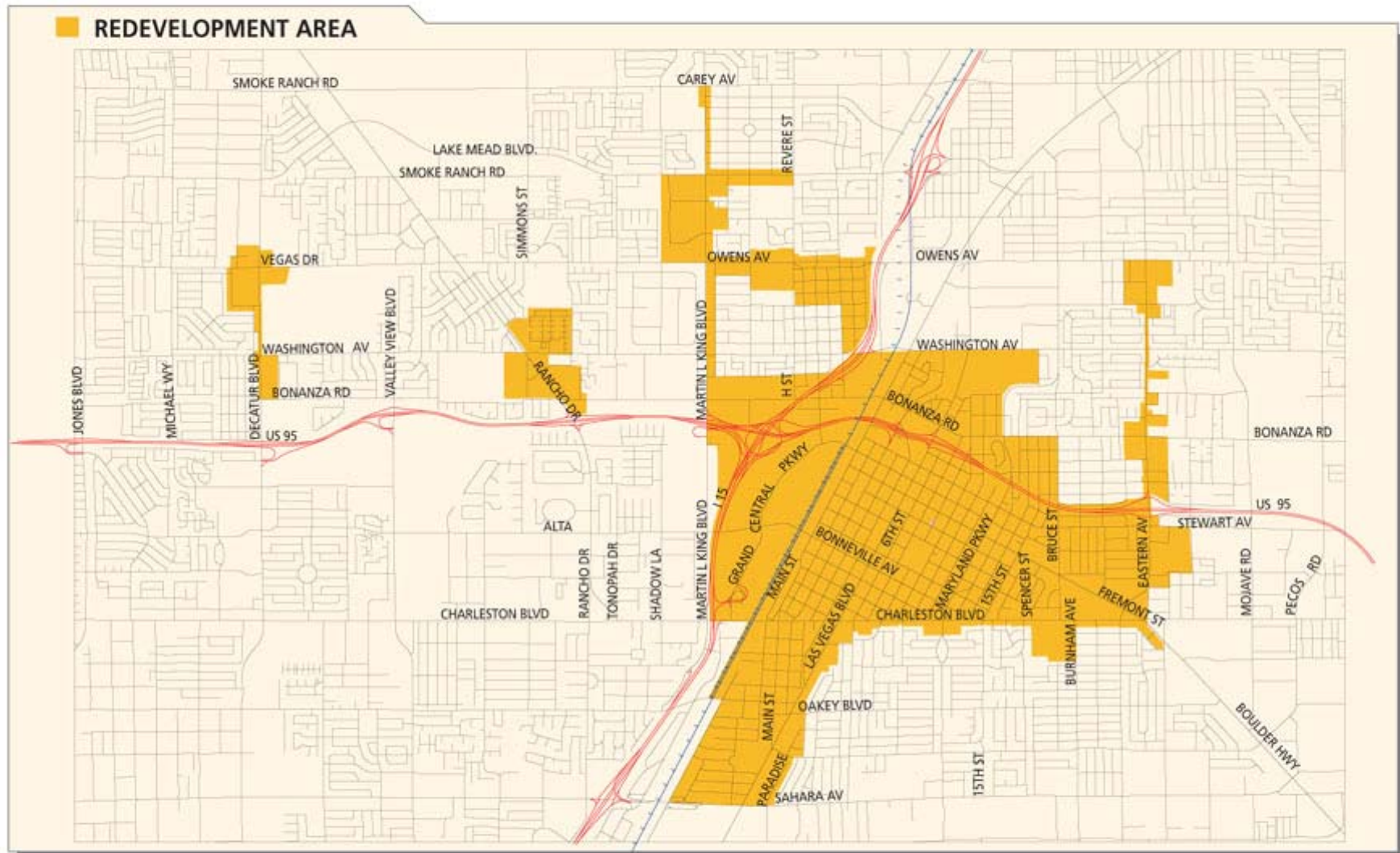
Attachment 4 – Current Banking Relationships and Performance Bond References

Attachment 5 – Demonstration that performance bonds are required, finding of necessity

## **EXHIBIT E**

### **Explanation of How Project Complies with RDA Plan**

## ATTACHMENT 1 – REDEVELOPMENT PLAN AREA



Date of Map 1996

Source: City of Las Vegas Planning and Development Department (July 2003)

**ATTACHMENT 2 – EMPLOYMENT PLAN POLICY**

**CITY OF LAS VEGAS  
REDEVELOPMENT AGENCY  
EMPLOYMENT PLAN POLICY**

**Adopted  
June 6, 2001**

# EMPLOYMENT PLAN POLICY

(As Adopted on June 6, 2001)

## A. What is the purpose of the Employment Plan Policy?

The purpose of this Employment Plan Policy is to encourage developers and build-to-suit owners/lessees participating in a redevelopment project funded by the Redevelopment Agency to hire individuals of specially targeted population groups (economically disadvantaged residents, physically handicapped, members of racial minorities, veterans or women) who live within the area of operation.

## B. Who must submit Employment Plans?

1. **Developers:** As appropriate for the redevelopment project, the developer shall submit to the Redevelopment Agency an Employment Plan for the construction phase of the redevelopment project in accordance with the requirements of this Policy. For purposes of this Policy, a “developer” means any person or entity who is proposing to construct commercial, office, retail or industrial space with the assistance of the Redevelopment Agency and includes both developers of speculative space and build-to-suit owners.

A “developer of speculative space” means any developer who constructs commercial, office, retail or industrial space for the purpose of conveying or leasing to an unknown owner and/or tenant. A “build-to-suit developer” means any developer who constructs commercial, office, retail or industrial space in accordance with the customized specifications of a known owner and/or lessee to whom the space will be conveyed or leased upon completion of the redevelopment project.

2. **Build-to-Suit Owners/Lessees:** As appropriate for the redevelopment project submitted by a build-to-suit developer, the owner/lessee for which the redevelopment project is to be constructed shall submit to the Redevelopment Agency an Employment Plan for the post construction phase of the redevelopment project in accordance with the requirements of this Policy.

For purposes of this Policy, “build-to-suit owner/lessee” means the owner and/or lessee of commercial, office, retail or industrial space which has been constructed by the developer to the customized specifications of the owner/lessee.

3. **Owners/Lessees:** An owner/lessee of speculative commercial, industrial, office or retail space shall be exempt from submitting an Employment Plan.

**C. What is the term of the Employment Plan?**

1. The developer shall adhere to the Employment Plan only during the construction phase of the development.
2. The build-to-suit owner/lessee shall adhere to the Employment Plan for at least as long as the redevelopment project remains subject to the Owner Participation Agreement (OPA)/Disposition and Development Agreement (DDA). Each OPA/DDA will include the specific time periods based on the particular relevant aspects of the project. All subcontractors of permanent operations will be required to adhere to the Employment Plan through contractual language included in any agreement with the build-to-suit owner/lessee. The appropriate requirements of the Employment Plan Policy shall be included in the Owner Participation Agreement.
3. Employment Plans must be submitted to the Agency for review during negotiations for redevelopment funding to be approved as part of the OPA/DDA.

**D. What information must the developer provide in the Employment Plan?**

The developer shall provide the Agency with a list and amount of all contracts to be let for the construction of the redevelopment project.

**E. What procedures shall the developer adhere to?**

The developer is required to submit an Employment Plan for the construction phase of the redevelopment project, and shall be referred to the City's Minority Vendors Directory. The developer shall notify the vendors identified in the Minority Vendors Directory of all contracts to be let for the redevelopment project. A copy of the notification shall be submitted to the Redevelopment Agency.

**F. What information must be in the Employment Plan submitted by Build-to-Suit Owner/Lessees?**

1. A description of the existing opportunities for employment within the area. This information is available from the Nevada Employment Security Department. The Agency shall make every effort to assist the build-to-suit owner/lessee in obtaining this information for inclusion in the Employment Plan.
2. A projection of the effect that the redevelopment project will have on opportunities for employment within the area. In other words, the



number of new jobs created as a result of the redevelopment project and a description of the skills required to fill the positions. The build-to-suit owner/lessee must supply this information to the Redevelopment Agency.

3. It is the intent of this Policy that a minimum of 51% of all new jobs created as a direct result of the Redevelopment Project be filled by residents of the Redevelopment Area and/or the City of Las Vegas Special Impact Area (SIA) and/or Census Tracts 5.03 and 5.04 (these tracts will be eligible for SIA designation upon release of the 1990 census information). The Redevelopment Agency shall have the authority to reduce the employment requirements of this section after a showing of just cause. This includes the refilling of those jobs for the duration of the Employment Plan. The build-to-suit owner/lessee is required to submit an Employment Plan which describes how the operation will employ persons who are:
  - a. *economically disadvantaged*
  - b. *physically handicapped*
  - c. *members of racial minorities*
  - d. *veterans*
  - e. *women*
4. The build-to-suit owner/lessee shall, as part of the Employment Plan, utilize one or more of the following referral agencies for the purpose of receiving qualified job applicants. Only nominal administrative fees can be charged to the employee by non-profit referral agencies for referral or job placement. These referral agencies, by virtue of their activities, are recognized as having a knowledge of the applicant pool available to assist in the location of and, in some cases, training and upgrading of skills of qualified applicants to fill the unique needs of each business.
  - a. *Nevada Employment Security Department*
  - b. *Nevada Business Services*
  - c. *Nevada Black Chamber of Commerce*
  - d. *Latin Chamber of Commerce*
  - e. *Las Vegas Indian Center*
  - f. *Nevada Association for the Handicapped*
  - g. *Nevada Welfare Department*
  - h. *Women's Development Center*
  - i. *St. Vincent's Job Desk*
  - j. *Community College of Southern Nevada*
  - k. *Bureau of Vocational Rehabilitation of Southern Nevada*
  - l. *Dr. Martin Luther King, Jr. Committee*
5. Build-to-suit owner/lessees shall be required to pay a minimum rate which is the higher of the federal minimum wage or the market rates

paid by employers in similar businesses in order to ensure that redevelopment jobs provide decent standards of living for employees.

6. Build-to-suit owner/lessee shall establish an in-house training program for promoting employees, provided the operation employs a total of more than (25) employees. The training program shall be included as part of the Employment Plan.

**G. What procedural guidelines must Build-to-Suit Owner/Lessee follow?**

1. The build-to-suit owner/lessee agrees to submit written notification to the referral agency of job positions available for hire at least thirty (30) working days prior to the employer's anticipated hiring date.
2. Such written notification shall include a description of the required job qualifications, the rate of pay, the anticipated hiring date, and the date by which the referral agency must refer qualified applicants to the build-to-suit owner/lessee in order to be considered for hiring to the vacant position including management, technical and professional positions.
3. The build-to-suit owner/lessee need not notify the referral agency of any vacancy to be filled by an internal promotion from his own work force.
4. In the event that the referral agency fails to refer qualified individuals within thirty (30) working days for consideration of the vacant job openings of which the build-to-suit owner/lessee has notified the referral agency, the build-to-suit owner/lessee will be free to directly fill any and all remaining positions after so notifying the referral agency in writing.
5. The build-to-suit owner/lessee shall make the final decision on hiring new employees but shall be encouraged to select employees from among qualified persons referred by the referral agencies. This does not release the build-to-suit owner/lessee from the requirements of this Policy.
6. The build-to-suit owner/lessee will not discriminate against any applicant for employment because of race, religion, age, handicap, color, sex, national origin.
7. The Redevelopment Agency shall be copied on all written correspondence between the build-to-suit owner/lessee and the referral agency.

**H. What are the reporting requirements?**

1. The developer shall inform the Agency of the selected bidder after the bid is awarded, including a justification for not selecting the minority vendor, if such is the outcome. Backup documentation shall be provided to the Agency, as requested.
2. The build-to-suit owner/lessee shall submit a report to the Redevelopment Agency within thirty (30) calendar days after the end of each calendar quarter. This report will provide the Agency with a list of employees' names, addresses, rates of pay and health benefit status, and whether or not they were referred by the above agencies. Affected employees shall be notified that this information is being reported to the Agency. The Agency shall use this information for the sole purpose of determining compliance of the owner/lessee with the submitted Employment Plan. This information shall not be submitted to any other person or organization for any other purpose.

**Assembly Bill No. 664- Assemblymen Arberry and Wendell Williams**

**Chapter 621**

An ACT relating to the redevelopment of communities; requiring a proposal for a project of redevelopment to include an employment plan; and providing other matters property relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 279.572 is hereby amended to read as follows:

279.572      **1. Every redevelopment plan must show:**

- [1.] (a) The amount of open space to be provided and the layout of streets.
- [2.] (b) Limitations on type, size, height, number and proposed use of buildings.
- [3.] (c) The approximate number of dwelling units.
- [4.] (d) The property to be devoted to public purposes and the nature of those purposes
- [5.] (e) Other covenants, conditions and restrictions which the legislative body prescribes.
- [6.] (f) The proposed method of financing the redevelopment plan in sufficient detail so that the legislative body may determine the economic feasibility of the plan.

**2. As appropriate for the particular project, each proposal for a project must also include an employment plan. The employment plan must include:**

- (a) *A description of the existing opportunities for employment within the area.*
- (b) *A projection of the effect that the redevelopment project will have on opportunities for employment within the area.*
- (c) *A description of the manner in which an employer relocating his business into the area plans to employ persons living within the area of operation who are:*
  - (1) *Economically disadvantaged*
  - (2) *Physically handicapped*
  - (3) *Members of racial minorities*
  - (4) *Veterans*
  - (5) *Women*